

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

SUMMARY ORDER

THIS SUMMARY ORDER WILL NOT BE PUBLISHED IN THE FEDERAL REPORTER AND MAY NOT BE CITED AS PRECEDENTIAL AUTHORITY TO THIS OR ANY OTHER COURT, BUT MAY BE CALLED TO THE ATTENTION OF THIS OR ANY OTHER COURT IN A SUBSEQUENT STAGE OF THIS CASE, IN A RELATED CASE, OR IN ANY CASE FOR PURPOSES OF COLLATERAL ESTOPPEL OR RES JUDICATA.

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 28th day of August, Two thousand and six.

PRESENT:

HON. JON O. NEWMAN,
HON. GUIDO CALABRESI,
HON. SONIA SOTOMAYOR,
Circuit Judges.

Qi Lu Guo,
Petitioner,

-v.-

No. 06-0136-ag
NAC

United States Department of Justice,
Attorney General Gonzales,
Respondents.

FOR PETITIONER: Richard Tarzia, Belle Mead, New Jersey.

FOR RESPONDENTS: R. Alexander Acosta, United States Attorney, Southern District of Florida; Anne R. Schultz, Chief, Appellate Division; Laura Thomas Rivero, Evelio Jesús Yera, Assistant United States Attorneys, Miami, Florida.

UPON DUE CONSIDERATION, it is hereby ORDERED, ADJUDGED, AND
DECREED that the petition for review of the order of the Board of Immigration Appeals (“BIA”)

is DENIED.

Petitioner Qi Lu Guo, a native and citizen of the People's Republic of China, petitions for review of a December 27, 2005 order of the BIA affirming Immigration Judge ("IJ") Gabriel C. Videla's decision denying his application for asylum, withholding of removal, and relief under the Convention Against Torture ("CAT"). *In re Qi Lu Guo*, No. A 73 610 237 (B.I.A. Dec. 27, 2005), *aff'g* No. A 73 610 237 (Immig. Ct. N.Y. City Aug. 11, 2004). We assume the parties' familiarity with the underlying facts and procedural history in this case.

When the BIA adopts the decision of the IJ and supplements the IJ's decision, this Court reviews the decision of the IJ as supplemented by the BIA. *See Yu Yin Yang v. Gonzales*, 431 F.3d 84, 85 (2d Cir. 2005). This Court reviews the agency's factual findings, including adverse credibility determinations, under the substantial evidence standard. 8 U.S.C. § 1252(b)(4)(B). In this case, looking at the record as a whole, the IJ's finding of a lack of credibility is supported by substantial evidence.

For the foregoing reasons, the petition for review is DENIED.

FOR THE COURT:
Roseann B. MacKechnie, Clerk

By: _____